

Appl. No. 10/648,45

Amdt. Dated December 22, 2005

Reply to Office Action of September 27, 2005

REMARKS

This is a full and timely response to the Office action mailed September 27, 2005. Reexamination and reconsideration in view of the foregoing amendments and following remarks is respectfully solicited.

Claims 1-11 are pending in this application, with Claim 1 being the sole independent claim. Claims 1 and 2 have been amended, and Claims 12-26 have been canceled herein. No new matter is believed to have been added.

Initially, the undersigned would like to thank Examiner Krishnamurthy for extending the courtesy of a short interview to discuss the status of the instant application, and his assurance that he would disposition this amendment before the 3-month shortened statutory period.

Rejections Under 35 U.S.C. § 103

Claims 1-11 were rejected under 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent Nos. 2,912,007 (Johnson) and 2,850,685 (Ray). This rejection is respectfully traversed.

Independent Claim 1 relates to a solenoid control valve and, as amended herein, recites at least one feature that is not disclosed or suggested in either Johnson or Ray, either taken alone or in combination. In particular, Applicant submits that these references, either alone or in combination, fail to disclose or suggest at least the following feature now more clearly recited in independent Claim 1:

an actuator positioned within said actuator chamber, said actuator having a major surface coupled to a poppet that defines a minor surface, said poppet having a fill seat and a vent seat disposed thereon, the actuator movable between at least (i) first position, in which the poppet vent seat contacts the vent contact, and the minor channel, the actuator chamber, and the control part are in fluid communication with each other, and (ii) a second position, in which the poppet fill seat contacts the fill contact, the control port and the outlet port are in fluid communication with each other, and the major channel, the minor channel, and the actuator chamber are each isolated from both the control port and the outlet port.

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Johnson discloses a device similar in structure and function to the device defined by independent Claim 1, with the exception of at least the above-noted feature. Namely, the device disclosed in Johnson does not include at least an actuator movable between at least (i) first position, in which the poppet vent seat contacts the vent contact, and the minor channel, the actuator chamber, and the control part are in fluid communication with each other, and (ii) a second position, in which the poppet fill seat contacts the fill contact, the control port and the outlet port are in fluid communication with each other, and the major channel, the minor channel, and the actuator chamber are each isolated from both the control port and the outlet port. Indeed, Applicants further submit that the device of Johnson would not properly operate in accordance its intended purpose if it were configured as recited in independent Claim 1. Moreover, Ray fails to make up for at least this deficiency.

In view of the foregoing, Applicant requests reconsideration and withdrawal of the § 103 rejections.

Conclusion

Based on the above, independent Claim 1 is believed patentable over the citations of record. The dependent claims are also submitted to be patentable for the reasons given above with respect to the independent claim and because each recite features which are patentable in its own right. Individual consideration of the dependent claims is respectfully solicited.

The other art of record is also not understood to disclose or suggest the inventive concept of the present invention as defined by the claims.

Hence, Applicant submits that the present application is in condition for allowance. Favorable reconsideration and withdrawal of the objections and rejections set forth in the above-noted Office action, and an early Notice of Allowance are requested.

If the Examiner has any comments or suggestions that could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the below-listed number.

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If for some reason Applicant has not paid a sufficient fee for this response, please consider this as authorization to charge Ingrassia, Fisher & Lorenz, Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

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